

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 888 - HB 1382

March 10, 2017

SUMMARY OF BILL: Creates the *Fair Repair Act* (Act). Requires any manufacturer who sells digital electronic products in this state to make diagnostic and repair information, including repair technical updates and embedded software updates and corrections, available to any independent repair provider or owner of products manufactured by such manufacturer at no charge or in the same manner the manufacturer makes such diagnostic and repair information available to authorized repair providers. In addition, such manufacturers are required to make diagnostic and repair tools and software, including any embedded software updates and corrections, available for purchase by the owner, the owner's agent, or any independent repair provider upon fair and reasonable terms. A violation of this act is considered an unfair or deceptive act or practice affecting the conduct of trade or commerce pursuant to the *Tennessee Consumer Protection Act of 1977*.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The Division of Consumer Affairs can handle any increase in formal complaints, utilizing existing staff during normal work hours.
- Committing an unfair or deceptive practice under the *Consumer Protection Act of 1977* is a Class B misdemeanor offense.
- There will not be a sufficient number of Class B misdemeanor prosecutions for state or local government to experience any significant increase in fine revenue or expenditures.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- This bill will have no significant impact on businesses or commerce in this state.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Krista M. Lee in black ink.

Krista M. Lee, Executive Director

/jdb